

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1, 3, 5-31, and 33-44 remain pending.

The rejection of claims 1, 3, 5-17, 30-31, 33-38 under 35 U.S.C. 103(a) as being unpatentable over Kamiya et al (U.S. Patent 5,917,435) in view of Kodama (JP 10-213443) and further in view of Hollenberg (U.S. Patent 6,091,956) is hereby traversed.

First, the Examiner admits that Kamiya fails to disclose a docking station matable with a computer module and a computer module including a navigation sensor as claimed in claim 1.

Second, the Examiner fails to identify a teaching in any of the references of a computer module including a navigation sensor as claimed. Even assuming the Examiner's assertion regarding Kodama teaching a removable navigation sensor included as part of a removable module is true, which Applicant denies, the Examiner has not identified any teaching of a computer module including a navigation sensor. In contrast, Kodama discloses a removable navigation sensor able to be connected to a docking station. This is not the same as a computer module including a navigation sensor and being selectively matable with a docking station.

Further, as the Examiner has failed to rely on Kodama in making the rejection, the Examiner is requested to remove the reference. Additionally, as the Examiner has not applied the same grounds and art to reject the claims, i.e., the Examiner appears now to be relying on an inertial sensor in Hollenberg without relying on Kodama, withdrawal of the finality of the Office Action is respectfully requested.

Third, the Examiner asserts that Hollenberg includes an inertial sensor without identifying where in the reference such an inertial sensor exists. Applicant has searched for and failed to uncover a reference to an inertial sensor in Hollenberg. Applicant requests the Examiner to identify, preferably by column and line number, where in the reference the inertial sensor is found.

Fourth, the Examiner has failed to identify a teaching, suggestion, or motivation in either reference teaching, suggesting, or describing the asserted combination of Kamiya with Hollenberg. The Examiner's argument that a person of ordinary skill in the art at the time of the present invention would combine the references in order to provide navigation data when the

device is removed from the vehicle and to provide support to a specific housing of the navigation processor is incorrect. The Examiner has failed to identify a teaching of navigational sensor when the device is removed from a vehicle and the Examiner has failed to identify a motivation to a person of ordinary skill in the art for providing support to a specific housing.

A statement that modifications of the prior art to meet the claimed invention would have been well within the ordinary skill of the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references. See MPEP 2143.01 quoting Ex parte Levengood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). The Office Action merely stated that the references can be combined, which Applicant contends to the contrary, and does not state any desirability for making the modification. In other words, the Office Action failed to supply any objective reasons to combine the applied references.

In accordance with MPEP §2143.01 and Al-Site Corp. v. VSI Int'l Inc., 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999), the Examiner is requested to identify a teaching, suggestion, or motivation in either reference or to provide an affidavit of facts within the personal knowledge of the Examiner per MPEP §2144.03 providing a motivation or suggestion to one of ordinary skill in the art to make the argued combination. The Examiner has neither identified any teaching in Kamiya or Hollenberg motivating or suggesting the asserted combination to a person of ordinary skill in the art nor provided an affidavit because there is no teaching to be found. For at least this reason, the rejection should be withdrawn.

“When an obviousness determination is based on multiple prior art references, there must be a showing of some ‘teaching, suggestion, or reason’ to combine the references.” Winner International Royalty Corp. v. Wang, 53 USPQ2d 1580, 1586 (Fed. Cir. 2000). The Examiner has failed to make such a showing supporting the applied combination of references and therefore the applied combination of references is improper. The Examiner is in error for any of the above reasons and has not made out a *prima facie* case of obviousness, and the rejection of claim 1 should be withdrawn.

For each of the above reasons, claim 1 is patentable over the applied combination of references and the rejection should be withdrawn.

Claims 3 and 5-17 depend, either directly or indirectly, from claim 1, include further important limitations, and are patentable over the applied combination of references for at least the reasons advanced above with respect to claim 1. The rejection of claims 3 and 5-17 should

be withdrawn.

With specific reference to claim 3, the Examiner incorrectly asserts that Kamiya teaches removing several navigation components from the vehicle; however, Kamiya states only the removal of the “detachable unit 2 including at least the CD unit 21, the liquid crystal display 22 and the MMECU 20” without vehicle-side unit components related to navigation. Kamiya at column 12, lines 15-18. Kodama describes a GPS receiver as part of a computer module; however, the computer module is not described as the removable component of the Kodama system. In contrast, the navigation sensor and GPS antenna are removable and matable to the docking station in Kodama. For this additional reason, the rejection of claim 3 should be withdrawn.

Claims 30-31, and 33-38 are patentable over the applied combination of references for reasons similar to those advanced above with respect to claim 1. The rejection of claims 14-17, 30-31, and 33-38 should be withdrawn.

The rejection of claims 18-22 under 35 U.S.C. 103(a) as being unpatentable over Kamiya in view of Kodama and further in view of Avitan et al (U.S. Patent 4,942,529) is hereby traversed.

Claim 18 is patentable over the applied combination of references for reasons similar to those advanced above with respect to claim 1. The rejection of claim 18 should be withdrawn.

Claims 19-22 depend, either directly or indirectly, from claim 18, include further important limitations, and are patentable over the applied combination of references for at least the reasons advanced above with respect to claim 18. The rejection of claims 19-22 should be withdrawn.

With specific reference to claim 22, the Examiner admits that Avitan fails to teach propagating position of the vehicle based on the first and second vehicle data. The Examiner baldly asserts without identifying any teaching or suggestion that it would have been well known to transmit position of a vehicle based on the position data of the vehicle. Applicant does not understand how it would be obvious to modify a system, which by the Examiner's admission does not propagate position of a vehicle, to transmit position of the vehicle. The Examiner has again failed to identify a teaching or suggestion in any of the applied references for the asserted combination or specifically, the modification of the Avitan reference. For at least this reason, the rejection of claim 22 should be withdrawn.

The rejection of claims 23 and 40 under 35 U.S.C. 103(a) as being unpatentable over Kamiya in view of Kodama and further in view of Ito et al (U.S. Patent 5,889,337) is hereby traversed.

Kamiya fails to disclose removably securing an inertial sensor in a vehicle, rather Kamiya describes the inertial sensor installed in the vehicle-side unit 1, not the detachable unit 2. Kodama fails to disclose removably securing a CPU in a vehicle. Ito fails to cure the deficiencies of Kamiya and Kodama.

Further, Ito discloses an integrated instrument panel switch assembly; however, the Examiner has failed to identify any teaching or suggestion in Ito of removing the CPU and inertial sensor from one vehicle and installing the CPU and inertial sensor in a second vehicle. At most, Ito discloses a simplified assembly process for an instrument panel assembly. The Examiner's assertion that it would be obvious to a person of ordinary skill in the art at the time of the present invention to implement the cavity and the electric circuit of Ito to the vehicles in order to allow the CPU of Kamiya to be easily removably installed in different vehicles is incorrect as the Examiner has failed to identify any such teaching in either reference. As none of Kamiya, Ito, nor Kodama teaches removably securing the CPU in a second vehicle, the rejection should be withdrawn.

The Examiner has failed to make out a *prima facie* case of obviousness as described above with respect to claim 1. A statement that modifications of the prior art to meet the claimed invention would have been well within the ordinary skill of the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references. For at least this reason, the rejection should be withdrawn.

Further still, the Examiner erroneously asserts that “Kamiya implies that other components in a vehicle could obviously be movable” and “Kodama explicitly teaches including a removable inertia sensor to the removable computer module.” Both assertions are incorrect. First, Kamiya states removal of the detachable unit 2 only and does not imply removal of other components, i.e., “removing from the vehicle the detachable unit 2.” Kamiya at column 12, lines 15-18. Second, Kodama does not teach a removable computer module, rather the main part 2 of navigation equipment including the CPU is not disclosed as removably installed in the vehicle as are the GPS antenna unit 11 and the self-contained navigation sensor unit 12.

The Examiner asserts that a person of ordinary skill in the art at the time of the present invention would be motivated to combine Kodama with Kamiya as stated in Kodama at paragraph 39. Paragraph 39 describes that once the navigation sensor unit and GPS unit are mated, it is unnecessary to reattach a GPS antenna unit and a navigation sensor unit. For either of the above reasons, the rejection of claim 23 should be withdrawn.

Claim 40 is patentable over the applied combination of references for reasons similar to claim 23 and the rejection should be withdrawn.

The rejection of claims 24-28, 39, and 41-44 under 35 U.S.C. 103(a) as being unpatentable over Kamiya in view of Kodama and further in view of Ito and Avitan is hereby traversed.

Claims 24-28 depend, either directly or indirectly, from claim 23, include further important limitations, and are patentable over the applied references for at least the reasons advanced above with respect to claim 23. The rejection of claims 24-28 should be withdrawn.

With specific reference to claims 26, 27, 39, and 41-42, the Examiner is referred to the above discussion regarding claim 22.

Claims 43 and 44 depend, either directly or indirectly, from claim 40, include further important limitations, and are patentable over the applied combination of references for at least the reasons advanced above with respect to claim 40. The rejection of claims 43 and 44 should be withdrawn.

The rejection of claim 29 under 35 U.S.C. 103(a) as being unpatentable over Kamiya in view of Kodama and further in view of Ito, Avitan, and Hollenberg is hereby traversed.

Claim 29 is patentable over the applied combination of references for at least the reasons advanced above with respect to claims 26, and 23 from which claim 29 depends and for reasons similar to those advanced above with respect to claim 1.

Further, the Examiner is requested to specify how each of the applied references is applied to claim 29 as the Examiner has listed five references and only appears to apply two to the instant claim.

For at least the above reason, claim 29 is patentable over the applied combination of references and the rejection should be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP



Randy A. Noranbrock
Registration No. 42,940

USPTO Customer No. 33308
1700 Diagonal Road, Suite 300
Alexandria, VA 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: May 25, 2005
KMB/RAN/iyr